

Claims 5 to 8 and 18 to 24 were rejected under 35 USC 112, second paragraph, as being indefinite in the expression "an analog of camptothecin".

Applicants respectfully traverse this ground of rejection since the claims are believed to be definite. The analogs of camptothecin are well known and the novelty in Applicant's invention resides in the 7-ring member β -hydroxy lactone ring as set forth in the claim. Camptothecins are well known to those skilled in the art as can be seen from the literature submitted with the last response and the novelty resides in the fact that Applicants have discovered that the 7-membered ring analogs are much more active than the 6-ring analogs. Therefore, it is deemed that the claims are definite and withdrawal of this ground of rejection is requested.

All of the claims were rejected under the judicially created doctrine of obviousness type double patenting over claim 13 of U.S. Patent No. 5,981,542.

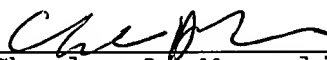
Applicants respectfully traverse this ground of rejection since it is deemed that the claims are patentably distinct from claim 13 of the said U.S. patent. The Examiner's attention is directed to the fact that the Examiner in the prosecution of the Patent No. 5,981,542, there was a multiple way restriction requirement of approximately 15 different inventions. Therefore,

the double patenting rejection is not proper under the present circumstances and withdrawal of the same is requested.

In view of the amendments to the specification and claims and the above remarks, it is believed that the claims clearly point out Applicants' patentable contribution and favorable reconsideration of the application is requested.

Respectfully submitted,
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Enclosures

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